

**LR52-AR00-1**  
**CASELOAD ALLOCATION PLAN**

The Miami Circuit Court, Miami Superior Court I, and Miami Superior Court II ~~and Superior Courts~~ have previously adopted various rules and orders concerning the filing of certain types of matters in the County Courts. ~~However, beginning January 1, 2009, a new Superior Court (Superior Court II) will be allocated new cases and the Circuit and Superior Court I caseloads will be adjusted.~~ Based upon the ~~2007~~ 2013 weighted caseload numbers, the judges of all three Courts have agreed upon the following caseload allocations:

**(A) Criminal Cases**

- (1) All Murder, Class A and Class B felony, and Level 1, Level 2, Level 3, and Level 4 felony cases (except as noted in subparagraph (A)(3), below) ~~should~~ shall be filed in the Miami Circuit Court.
- (2) All Class C and D felony and Level 5 and Level 6 felony cases (except as noted in subparagraph (A)(3), below) shall be filed in the Miami Superior Court II.
- (3) All traffic-related cases, both felony and misdemeanor, and all felony cases filed against a defendant as a result of one or more criminal acts allegedly committed by the defendant while he or she was a prisoner at the Miami Correctional Facility shall be filed in the Miami Superior Court I.
- (4) All non-traffic-related misdemeanor cases ~~misdemeanors~~ shall be filed in the Miami Superior Court II.

**(B) Infractions and Ordinance Violations ~~Ordinances~~**

All Infraction and Ordinance Violation cases ~~violations~~ shall be filed in the Miami Superior Court I.

**(C) Juvenile Matters**

- (1) All Juvenile Delinquency, Juvenile Status, and Termination of Parental Rights cases shall be filed in the Miami Superior Court II.
- (2) All Juvenile CHINS cases shall be filed in the Miami Circuit Court.

**(D) Small Claims Cases**

All Small Claims shall be filed in the Miami Superior Court I.

**(E) Civil Prison Litigation**

All civil cases filed by prisoners at the Miami Correctional Facility or the Miami County Jail ~~prison litigation other than , not including~~ Small Claims cases; Domestic Relations and ~~or~~ Post-Conviction Relief proceedings ~~Petitions~~ shall be filed in the Miami Circuit Court. Post-Conviction Relief proceedings filed by a prisoner at the Miami Correctional Facility or the Miami County Jail shall be filed pursuant to the provisions of Rule PC 1, Section 2, of the Indiana Rules of Procedure for Post-Conviction Remedies.

**(F) All Other Cases Filings**

All other cases filings, not otherwise mentioned above, ~~may~~ can be filed ~~made~~ in any of the three (3) above-named Courts. ~~Miami County Trial Courts.~~ ~~The Courts encourage~~ All all litigants and their attorneys are encouraged to equalize their filing of all other cases filings between the three Courts.

*Proposed Effective Date: July 1, 2014.*